IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

I.T.R. No.63 of 1998
Date of decision: 31.10.2006

Haryana Warehousing Corporation.

-----Petitioner

Vs.

Commissioner of Income Tax

-----Respondent

CORAM:- HON'BLE MR JUSTICE ADARSH KUMAR GOEL
HON'BLE MR JUSTICE RAJESH BINDAL

Present: Mr. M.L. Garg, Advocate for the assessee.

Mr. Yogesh Putney, Advocate for the revenue.

ORDER:

Following question of law has been referred for opinion of this Court by the Income Tax Appellate Tribunal, Delhi Bench 'C', New Delhi arising out of its order dated 19.02.1997 passed in I.T.A. No.5136(Del)/95 in respect of assessment year 1992-93:-

> "Whether in the facts and circumstances of the case the Income-tax Appellate Tribunal was justified in law in holding that income of Rs. 8,27,39,992/- from procurement of wheat as an agent of the Government is not exempt u/s 10(29) of the Income-tax Act."

We find that identical question has been gone into by this Court in our judgment rendered on 06.09.2006 in ***Haryana Warehousing Corporation v. Commissioner of Income Tax*** I.T.R. No.120 of 1998.

Accordingly, the question referred is answered in favour of the revenue and against the assessee.

(ADARSH KUMAR GOEL)
JUDGE

October 31, 2006 **(RAJESH BINDAL)**
ashwani **JUDGE**